

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 82-44

ORDER REQUIRING THE CITY OF DALY CITY AND THE DALY CITY SCAVENGER COMPANY TO CEASE AND DESIST FROM DISCHARGING WASTE CONTRARY TO REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION, AND RESCINDING ORDER NOS. 77-119 and 78-77

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter Board) finds that:

1. On January 18, 1977, this Board adopted Order No. 77-6 prescribing waste discharge requirements for the disposal of Group 2 wastes and compliance time schedules for site closure for the City of Daly City and the Daly City Scavenger Company hereinafter called the discharger.
2. On September 20, 1977, this Board adopted Order No. 77-119 requiring the City of Daly City and the Daly City Scavenger Company to cease and desist from discharging wastes in violation of requirements in Order No. 77-6. The discharger complied with Specification A.1. of this Order which required, the cessation of Group 2 waste disposal at the Mussel Rock disposal site. This was accomplished by the date specified in Order No. 77-119. The discharger did not comply with Specifications C.3 and C.4, which specified site closure requirements by the date required in Order No 77-119.
3. On September 19, 1978 this Board adopted Order No. 78-77 revising the compliance time schedule for Specifications C.3 and C.4, of Cease and Desist Order No. 77-119. The discharger completed the specified tasks.
4. On June 23, 1978, Cleanup and Abatement Order No. 78-013 was issued for violation of requirements in Order No. 77-6 pertaining to the sea wall. The discharger performed the required tasks in conjunction with the work specified by Order 77-119.
5. On July 21, 1982 the Board adopted Order No. 82-43, which prescribed Closure Requirements for the site in accordance with Resolution 77-7, Minimum Criteria for the Proper Closure of Class II Disposal Sites.

6. Order 82-43 states in part:

" . . .

B. Site Closure Specifications

1. All completed disposal areas shall be maintained with a final cover of at least three feet of clean soil. At least one foot of the final cover shall be compacted to attain a permeability equivalent to no greater than  $1 \times 10^6$  cm/sec. Exceptions to this requirement may be granted by the Board upon a demonstration that equivalent protection against water penetration may be provided by other means.
2. Completed disposal areas shall be maintained to prevent ponding and to provide slopes to at least three percent, except where incompatible with park use (i.e. play fields), in which case grade shall be not less than 2 percent. Areas subject to erosion shall be designed and maintained to prevent such erosion.
3. Slopes within the disposal area and below the Upper North Canyon area shall be maintained in such a manner as to minimize the potential for sliding by control of grades, drainage, or other means. Any slides observed within the disposal area and below the Upper North Canyon area, shall be promptly stabilized, and the Regional Board shall be notified immediately upon discovery of a slide.

. . .

C. Leachate and Drainage Specifications

1. The disposal area (s) shall be protected from any washout or erosion and from inundation, which could occur as a result of tides, rainfall and/or floods having a predicted frequency of once in 100 years. The sea wall, all drainage ditches and all other facilities shall be designed and maintained to convey maximum anticipated storm runoff and to withstand the effects of differential settlement.
2. Surface drainage from tributary areas and internal site drainage from surface or subsurface sources shall not contact or percolate through Group 2 wastes deposited on the site.
3. All necessary facilities shall be provided and maintained to ensure that leachate from group 2 waste, ponded water containing leachate or any polluted water are not discharged to ground waters or surface waters of the State".

7. Staff inspection in May and December 1980; January, March and November 1981; and January, March, April and May 1982 have found that the following conditions have existed or exist at the site:
  - a. slippage of wastes and cover
  - b. surface drainage system requires significant maintainace and frequently is not operable.
  - c. erosion channels in the cover exposing waste material
  - d. sea wall being undercut by wave action
  - e. concrete rubble placed in advance of the North sea wall extension was washed out in two locations due to slides, due to the January 4, 1982 storm.
  - f. possibility of leachate discharging from the old internal drainage system
  - g. inadequate cover resulting in 'day-lighted' refuse
  - h. poor access from inadequate road maintenance
  - i. sulfide odors.
8. Correspondence from the discharger dated January 29, 1982 and February 2, 1982 indicate the following conditions existed at the site, as a result of the January 4, 1982 storm.
  - a. several slides and slippages exist within the site;
  - b. the surface drainage system is partially or fully filled with soil and damaged resulting in ponding and some lack of surface drainage;
  - c. erosion exists in many locations throughout the site;
  - d. soil cover needs to be replaced at selected locations.
  - e. deep rooted vegetation and grass needs to be planted on damaged areas.
  - f. the all-weather road was washed out at one location, and additional rock was to be added to the road system.
9. Correspondence from the discharger dated June 7, 1982 state the following:
  - a. the half-round drainage system is 80 percent cleaned.
  - b. a report indicating the nature of the work necessary to protect the site from 100 year storms is being developed;
  - c. a report indicating the location of slippage areas and proposed corrective actions would be submitted on June 16, 1982.
  - d. road repairs were completed on May 21, 1982.
  - e. a report on the adequacy of site drainage with recommended modifications is being prepared; and
  - f. the City plans to complete the present northward extension of the seawall in 5 years.
10. The site is transversed by the San Andres Fault; is situated on top of a major complex slide and is surrounded by numerous secondary slides. The site has a history of lateral and vertical movement. It is expected that this constant movement will continue to present difficulties in properly maintaining this site.

11. The conditions noted in Findings 7, 8 and 9 above, indicate that the discharger has not adequately maintained the site to meet closure specifications resulting in recurring conditions which violate or threaten to violate Specifications B.1, B.2, B.3, C.1, C.2, and C.3 of Order No. 82-43 and which require continuing long term maintenance.
12. The discharger has submitted a letter dated January 29, 1982 indicating their intent to open drain lines, maintain benches, remove mud slides, repair the sea wall, add cover material, repair the surface drain system (half-rounds), repair the road and plant deep rooted vegetation and grasses according to a time schedule using both city funds and federal government emergency fund, if available.
13. On June 16, 1982 and July 21, 1982 at meetings starting at 9:30 a.m. in the Assembly Room, State Building, 1111 Jackson Street, Oakland California, after due notice to the discharger and all other interested and affected persons and agencies, the Regional Board conducted a public hearing at which the discharger appeared and evidence was receiving concerning the discharge.
14. The discharger is violating and threatening to violate requirements listed in Findings 6 of this Order.
15. This action is an order to enforce closure requirements adopted by the Board. This action is therefore exempt from CEQA pursuant to Section 15121 of the California Administrative Code.

IT IS HEREBY ORDERED:

- A. The discharger shall cease and desist from violating Specifications B.1, B.2, B.3, C.1, C.2, C.3, of Order No. 82-43.
- B. The discharger shall achieve compliance with Specification B.1, B.2, B.3, C.1, C.2, and C.3 of Order No. 82-43 according to the following time schedule.

1. To assure compliance with B.1:

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
a. replace lost cover	by Oct. 1, 1982	by Oct. 15, 1982

2. To assure compliance with B.2:

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
a. cleanup all half-rounds	by Oct. 1, 1982	by Oct. 15, 1982
b. regrading of benches	by Oct. 1, 1982	by Oct. 15, 1982

3. To assure compliance with B.3.:

<u>Task</u>	<u>Completion Date</u>	<u>Submit Report</u>
a. submit report indicating location of all slippage areas and proposed corrective action	by Aug. 20, 1982	by Aug. 20, 1982
b. repair erosion and slippage areas	by Oct 1, 1982	by Oct. 15, 1982

4. To assure compliance with C.1:

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
a. submit report indicating nature of necessary work	by Aug. 20, 1982	by Aug. 20, 1982
b. complete all necessary work	by Oct. 1, 1982	by Oct. 15, 1982

5. To assure compliance with C.2 and C.3:

<u>Task</u>	<u>Submit Report</u>
a. submit report prepared by a registered engineer evaluating the adequacy of existing site drainage with recommended modifications, if found to be necessary and a time schedule for completing the modifications.	by Aug. 20, 1982

- C. The discharger upon completions of the tasks listed on item B above shall take all necessary actions on a continuing and on-going basis to maintain compliance with Order 82-43.
- D. The discharger shall submit progress reports to the Board by the fifth of each month until full compliance with the tasks listed in item B of this Order is achieved. These reports shall indicate the status of compliance with each task of this Order. If non-compliance is noted the report shall include the reasons for non-compliance and the proposed compliance date.
- E. If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized after approval of the Board Chairman to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

F. Order Nos. 77-6, 77-119 and 78-77 are hereby rescinded.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on July 21, 1982.

FRED H. DIERKER  
Executive Officer